

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

KAREEM BELLAMY

Plaintiff,

-against-

CITY OF NEW YORK, JOHN J. GILLEN,
MICHAEL F. SOLOMENO, JOHN DOE 1 AND
JOHN DOE2, SUPERVISING OFFICERS AT
THE NYPD 101ST PRECINCT

Defendants.

STIPULATION

12 Civ. 1025 (WFK)(VVP)

IT IS HEREBY STIPULATED, by and between counsel for all of the parties, as follows:

1. Plaintiff's Motion for Sanctions (Dkt No. 106) is withdrawn with prejudice.
2. The First Amended Complaint (Dkt No 82) is withdrawn with prejudice. The original Complaint (Dkt. No. 1) shall be the operative pleading.
3. The defendants' Motion to Dismiss the First Amended Complaint, (Dkt. 86-92) is moot and is withdrawn by the City without prejudice.
4. Plaintiff shall be allowed to proceed with discovery on his two Monell claims, Claims VI (¶¶425 - 439) and VIII (¶¶ 446 - 453), in the Complaint. (Dkt 1)
5. Plaintiff shall serve Interrogatories and Request for Document Production on or before August 31, 2015.
6. Defendants shall respond to plaintiff's Interrogatories and Document Production on or before October 15, 2015.

7. Any files that are requested by plaintiff and not objected to shall be produced on a "rolling" basis of 40 files every 30 days.
8. Monell depositions shall be noticed and completed on or before December 31, 2015.
9. The discovery cut-off date regarding Monell will be January 15, 2016.
10. That a facsimile copy hereof shall have the same force and effect as an original.

Dated: New York, New York
August 14, 2015

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By: 
Thomas Hoffman

By: 
Virginia Nimick
Assistant Corporation Counsel

SO ORDERED:

s/vvp

HON. VIKTOR V. POHORELSKY
UNITED STATES MAGISTRATE JUDGE